Notice of Allowability	Application No.	Applicant(s)
	09/655,520	NOAM, ELI M.
	Examiner	Art Unit
	Yogesh C. Garg	3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *2/3/2006 and Telephone Interview on 12/29/2006*.

2. ☒ The allowed claim(s) is/are *8 and 14-17*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1)☐ hereto or 2)☐ to Paper No./Mail Date _____ .

    (b)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *12/29/2006* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600
Primary Examiner
Art Unit: 3625

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

2/3/2006 has been entered.

Response to Amendment

2.   Applicant's amendment received on 2/3/2006 is acknowledged and entered.

Claims 8-17 have been amended. Claims 8-17 are currently pending for examination.

Response to Arguments

2.   Applicant's arguments, see Remarks, filed 2/3/2006, with respect to rejection of

claims 8-17 under 35 USC 101 and rejection of claim 15 under 35 USC 112, first

paragraph and second paragraph have been fully considered and are persuasive in

view of the current amendments made to these claims. The rejection of claims 8-17

under 35 USC 101 and rejection of claim 15 under 35 USC 112, first paragraph and

second paragraph have been withdrawn.

Applicant's arguments, see Remarks, filed 2/3/2006, with respect to rejection of

claims 8-14 and 16-17 under 35 USC 102 (e) have been fully considered and are

persuasive.

EXAMINER'S AMENDMENT

4.　　An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Mr. Noam on 12/29/2006

The application has been amended as follows:

Claim Listing

Claims 1-7 (Canceled).

8. (Currently amended) A method for creating and using autonomous transactions for

dynamic and changing commercial transactions outside the direct control of senders

and recipients for the payment of goods and services comprising:

　　a) creating a string of digital signals known as a transactional data-packet,

　　　　storable on a computer-readable medium, and transmittable through a network;

　　b) creating a string of digital signals known as an access token, denominated at a

　　　　certain value, and storable individually or together with other said access

　　　　tokens as part of said transactional data packet in a dedicated field known as a

　　　　packet wallet;

　　c) creating a software program known as a facility access gateway able to interact

　　　　configured to interact with said transactional data-packet with resultant

transactions transferring to or receiving from said packet wallet said access

tokens which said transactional data-packets carry, said facility access

gateways being located at the facilities and equipment of users as well as of

providers of various services involving information and being storable on a

computer-readable medium;

d) creating a software control program known as a packet controller, similarly

storable as part of said transactional data-packet, ~~capable of acceptance of~~

~~rejection of~~ and which controls the ~~prices offered by said facility access~~

~~gateways,~~ and ~~of~~ release or ~~admittance~~ admission of said access tokens ~~to and~~

from or to said transactional data packet, with said packet controller

programmable by the issuer of said transactional data-packets and storable on

a computer readable storage medium on a dedicated field of said transactional

data-packet known as a packet controller field, with said packet controller

containing:

    a. a field which may list other identified packets

    b. a software decision element which accepts or rejects the said price listed

        by said facility access gateway for the service it is offering or seeking

e) placing, by a sender of said transactional data-packet, said access tokens, after

being acquired from an issuer of said tokens, in the said packet wallet of said

transactional data-packet, together with other instructions, and sending them to

a specified recipient, or a recipient class, or to roam networks with a specified

task;

f) engaging said transactional data-packets, controlled by its said packet controller, in a transaction with said facilities access gateways of a service provider, including a transmission network or other party, transferring said access tokens in full or part at the facility access gateway of a service provider in return for access to the facility and its services by said transactional data-packet or of other packets listed in its packet controller, or in return for services including storage or transmission or other transactions and exchanges;

g) enabling the terms of a rejected price offer from the facility access gateway to be modified by the said facility access gateway, thereby enabling a variable pricing that varies dependent on the circumstances including congestion and demand conditions;

h) transferring one or several said access tokens from the facility wallet to said packet wallet in return for the service which said transactional data-packet and other packets listed by it provides to the facility, or in return for other consideration;

i) returning of said transactional data-packet, with said access tokens in the said packet wallet, to the sender or a designated third party; and

j) enabling the re-use of said access tokens by the sender, or by the owners of said facility wallets, in subsequent transactions.

Claims 9-13 (Cancelled).

14. (Currently amended) A The method as in any one of Claims 8, 10, or 12, further

comprising:

a) a field known as the convoy information field on a transactional data-packet-known

   as the master packet (or, for the purposes of Claim 10, known as the convoy

   intelligent agent), identifying other transactional data-packets as its follower packets,

   in whose behalf it conducts transactions with facilities, said field being storable and

   machine readable; and

b) a stored software program as part of the said facility access controller reading that

   reads the source and destination addresses and other fields of said master packet

   and said follower packets, and establishing is able to establish access conditions for

   said follower packets based on the information contained in said convoy information

   field, facilitating a single master transaction instead of repetitive identical

   transactions.

15. (Currently amended) A The method of 14 further comprising:

a) said transactional data-packet divided into several shorter transactional data sub-

   packets each carrying a particular subsection of the information contained in said

   transitional data-packet, storable and machine readable on the storage, and

   associated with each other through identification in the said convoy information

   fields contained in each of the said transactional data sub-packets for the

   purpose of enabling long transactional data-packets to be broken up into several

   shorter data packets[[.]] ; and

b) a software program as part of said facilities controller which assembles the

transaction data sub-packets identified as part of the same divided transactional

data-packet, into a full transaction data packet, and by stripping it of repetitive

packet overhead information, said assembly for purpose of enabling a

transaction between said transactional-data packet and said facility controller.

16. (Currently amended) A The method as in of Claim 15 further comprising:

additional software stored located at the packet controller as part of the said

transactional data-packet, storable on the machine-readable storage media, and

capable of interaction with said facility access gateways, enabling said

transactional data-packets to engage in additional types of performances and

applications.

17. (Currently amended) A system The method as in of claim16 further comprising:

a) said facility access gateways that can be capable of being located at a distance

from the actual facility, and stored on a computer-readable medium; and

b) transactional data-packets whose said packet controllers can interact with each

other, thus enabling them to transact while remote from facilities and creating

markets serving multiple participants.

Allowable Subject Matter

5.   Claims 8 and 14-17 allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record, either alone or combined, does not fairly suggest, teach or render obvious a method for creating and using autonomous transactions for dynamic and changing commercial transactions outside the direct control of senders and recipients for the payment of goods and services comprising, inter alia, as a whole, the steps of:

creating a digital transactional data-packet, storable on a computer-readable medium, and transmittable through a network, creating digital access tokens, denominated at a certain value, and storable individually or together as part of the transactional data packet in a dedicated field known as a packet wallet, creating a software program known as a facility access gateway, located at the facilities and equipment of users as well as of providers of various services involving information, configured to interact with said transactional data-packet and being storable on a computer-readable medium, creating a software control program known as a packet controller, storable as part of said transactional data-packet, and controlling the release and admission of said access tokens from or to said transactional data packet, with said packet controller programmable by the issuer of said transactional data-packets and storable on a computer readable storage medium on a dedicated field of said transactional data-packet known as a packet controller field, with said packet controller containing, a field which may list other identified packets and a software decision element which accepts or rejects the said price listed by said facility access gateway for the service it is offering or seeking, placing, by a sender of said transactional data-

packet, said access tokens, in the said packet wallet of said transactional data-packet, together with other instructions, and sending them to a specified recipient, or a recipient class, or to roam networks with a specified task, engaging said transactional data-packets, controlled by its said packet controller, in a transaction with said facilities access gateways of a service provider, including a transmission network or other party, transferring said access tokens in full or part at the facility access gateway of a service provider in return for access to the facility and its services by said transactional data-packet or of other packets listed in its packet controller, or in return for services including storage or transmission or other transactions and exchanges, enabling the terms of a rejected price offer from the facility access gateway to be modified by the said facility access gateway, thereby enabling a variable pricing that varies dependent on the circumstances including congestion and demand conditions, transferring one or several said access tokens from the facility wallet to said packet wallet in return for the service which said transactional data-packet and other packets listed by it provides to the facility, or in return for other consideration, returning of said transactional data-packet, with said access tokens in the said packet wallet, to the sender or a designated third party and enabling the re-use of said access tokens by the sender, or by the owners of said facility wallets, in subsequent transactions (see claim 8).

6.   . Discussion of most relevant prior art:

The most relevant prior art is Biffar (US Patent 6,047,269) cited in the final

action mailed on 5/20/2004. Biffar teaches a self-contained payment system including

anonymous payment transactions using digital vouchers via communication network,

such as Internet between entities, where entities are both individuals and businesses.

Digital vouchers, see Fig.1A, include identifying information such as transferable values,

serial numbers and a dynamic log which records all the transactions made by entities

between remote devices. Biffar does not disclose a packet controller, as a part of a

transactional data packet, controlling the release and admission of access tokens from

or to the transactional data packet, placing, by a sender of transactional data-packet,

said access tokens, in the said packet wallet of said transactional data-packet, together

with other instructions, and sending them to a specified recipient, or a recipient class, or

to roam networks with a specified task, engaging said transactional data-packets,

controlled by its said packet controller, in a transaction with facilities access gateways of

a service provider, including a transmission network or other party, transferring said

access tokens in full or part at the facility access gateway of a service provider in return

for access to the facility and its services by said transactional data-packet or of other

packets listed in its packet controller, or in return for services including storage or

transmission or other transactions and exchanges, enabling the terms of a rejected

price offer from the facility access gateway to be modified by the said facility access

gateway, thereby enabling a variable pricing that varies dependent on the

circumstances including congestion and demand conditions, transferring one or several

said access tokens from the facility wallet to said packet wallet in return for the service

which said transactional data-packet and other packets listed by it provides to the facility, or in return for other consideration, returning of said transactional data-packet, with said access tokens in the said packet wallet, to the sender or a designated third party and enabling the re-use of said access tokens by the sender, or by the owners of said facility wallets, in subsequent transactions . The applicant's arguments filed on 2/3/2006, see Remarks, pages 13-16, are persuasive and compelling that it, either alone or combined with another prior art, does not fairly anticipate or renders obvious the applicant's invention.

The other most relevant prior art is that of Rosen (US Patent 5,557,518). Rosen discloses (see at least col.1, line 60-col2., line 28 and col.7, line 65-col.10, line 2) a trusted agent and money module embedded in a transaction device (see Figs 1-3) in order to allow customers to buy anonymously electronic merchandises or services on demand without enrolling in an electronic community. The trusted agent communicates with the money module such that during a purchase transaction the buyer's trusted agent accepts the delivered electronic merchandise from the merchant's trusted agent and the merchant's money module accepts the electronic money from the buyer's money module. However, Rosen does not disclose, as a whole, the following steps and limitations:

a packet controller, as a part of a transactional data packet, controlling the release and admission of access tokens from or to the transactional data packet, placing, by a sender of transactional data-packet, said access tokens, in the said packet

wallet of said transactional data-packet, together with other instructions, and sending

them to a specified recipient, or a recipient class, or to roam networks with a specified

task, engaging said transactional data-packets, controlled by its said packet controller,

in a transaction with facilities access gateways of a service provider, including a

transmission network or other party, transferring said access tokens in full or part at the

facility access gateway of a service provider in return for access to the facility and its

services by said transactional data-packet or of other packets listed in its packet

controller, or in return for services including storage or transmission or other

transactions and exchanges, enabling the terms of a rejected price offer from the facility

access gateway to be modified by the said facility access gateway, thereby enabling a

variable pricing that varies dependent on the circumstances including congestion and

demand conditions, transferring one or several said access tokens from the facility

wallet to said packet wallet in return for the service which said transactional data-packet

and other packets listed by it provides to the facility, or in return for other consideration,

returning of said transactional data-packet, with said access tokens in the said packet

wallet, to the sender or a designated third party and enabling the re-use of said access

tokens by the sender, or by the owners of said facility wallets, in subsequent

transactions .

7.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Lei (US Patent 7,107,26) discloses a mobile commerce system for generating

self-contained business transaction capsules which contains all necessary data and

intelligence to conduct and complete a transaction such as ordering a content, air ticket

and transfer of electronic cash (see at least Abstract and col.2, line 25-col.3, line 35).

However, this patent was filed on January 2, 2001 which is later than the applicant's

invention and therefore it does not constitute a prior art.

8.   Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-

6756. The examiner can normally be reached on Increased Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
1/2/2007

TRANSACTIONAL DATA PACKETS 7

SOURCE ADDRESS 4	DESTINATION ADDRESS 6		DATA PAYLOAD 8	ERROR CORRECTION FIELD 10

PACKET WALLET 18	PACKET CONTROLLER 16	CONVOY INFORMATION (OPTIONAL) 14	PACKET IDENTIFIER 12

ACCESS TOKEN "A" 20	...	ACCESS TOKEN "N" 22		PACKET INSTRUCTIONS 24	PACKET COMMUNICATOR 26	PACKET AUTHORIZER 28

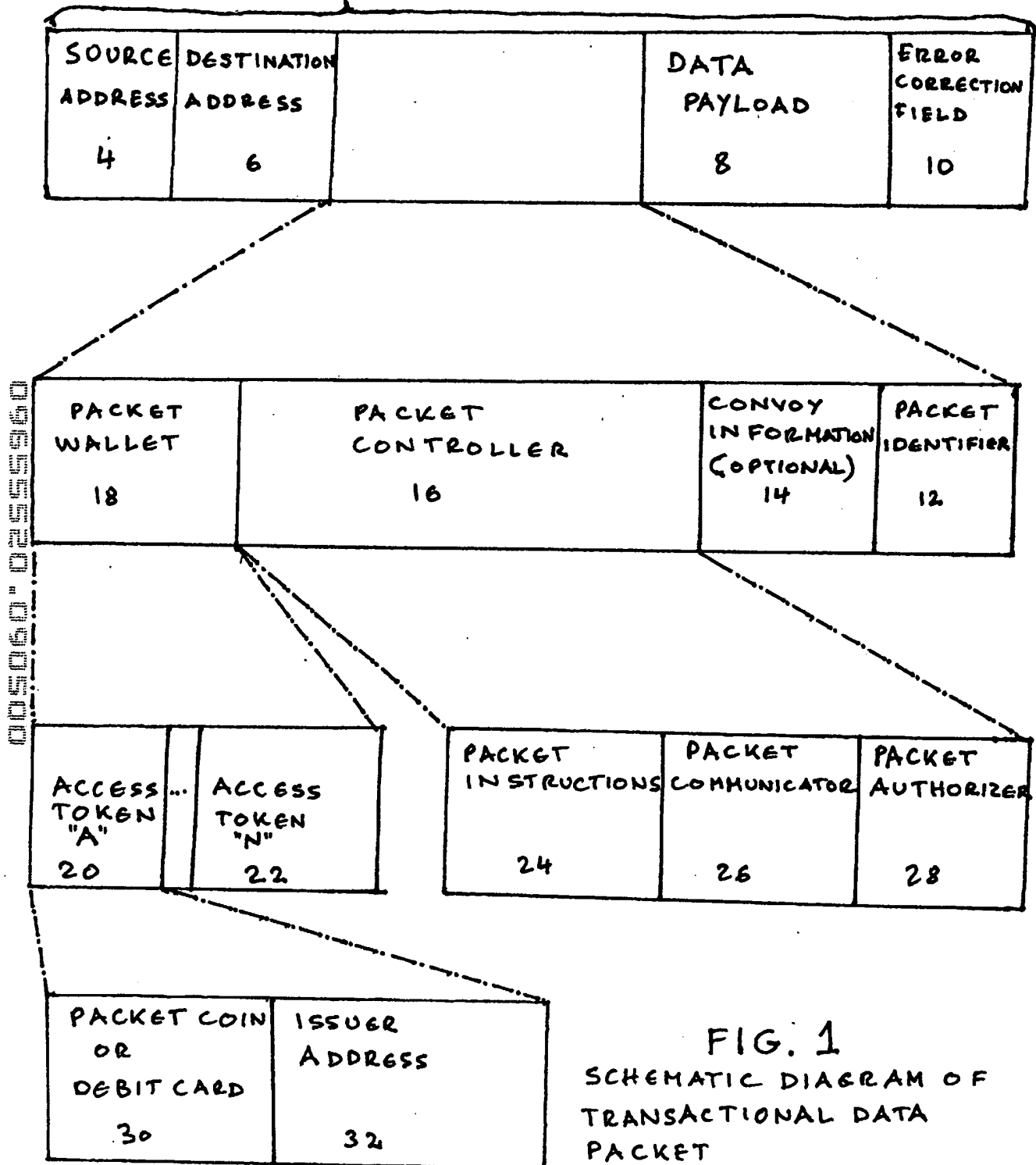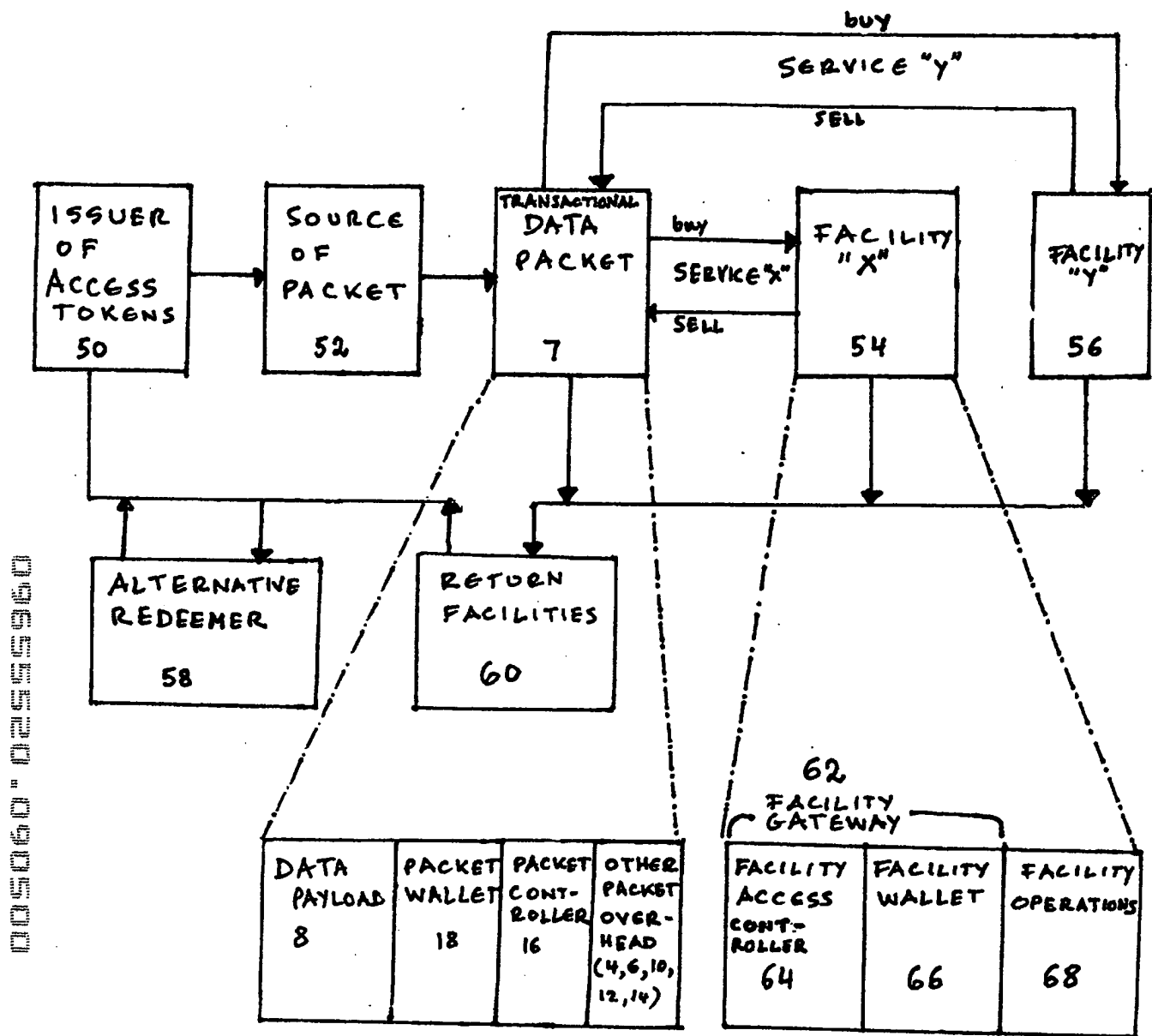| PACKET COIN OR DEBIT CARD 30	ISSUER ADDRESS 32

FIG. 1

SCHEMATIC DIAGRAM OF TRANSACTIONAL DATA PACKET

FIG. 2

FLOW DIAGRAM FOR ACCESS TOKENS